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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,354	12/31/2001	Kuo-Chang Chiang	2624-03	9774

7590 11/03/2004

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EXAMINER

TANG, KUO LIANG J

ART UNIT

PAPER NUMBER

2122

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/039,354	CHIANG ET AL.
Examiner	Art Unit	
Kuo-Liang J Tang	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 31 December 2001.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-3,9-16 and 22-24 is/are rejected.

7)  Claim(s) 4-8 and 17-21 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_.

**DETAILED ACTION**

1. This Office Action is in response to the amendment filed on 12/31/2001.

Claims 1-24 are pending and have been examined.

The priority date for this application is 12/31/2001.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Ishikawa, US Patent No. 6,466,239.

As Per Claim 1, Ishikawa teaches that a POI (point of interest) operation for moving an object corresponding to a selected node to the center of an editing window as pre-processing for changing the viewpoint of an object displayed in three-dimensional virtual space in a window of a display device. (E.g. see Abstract and associated text). In that Ishikawa discloses the method that covering the steps of a graphics computer programming language (E.g. see col. 2:41-49, VRML) for the efficient description and rendition of a set of three-dimensional objects and real-time interactions among the three-dimensional objects in a three dimensional space (E.g. see col. 2:42-43, three-dimensional virtual space) for performing an application within a computing device or a general networked computer environment, comprising:

“a user level command script (E.g. see FIG. 4, step 204 and associated text, i.e. see col. 2:46-47, script) consisting of a number of consecutive individual command lines wherein each of the command lines further comprises a mnemonical name (E.g. see FIG. 39-40 and associated text, i.e. see col. 31:64 to col. 32:3, SFColor) of a specific command corresponding to the command line followed by an ordered list of arguments (E.g. see FIG. 39-40 and associated text, i.e. see col. 31:64 to col. 32:3, m\_outColor ) for the specific command (E.g. see FIG. 39-40 and associated text, i.e. see col. 31:64 to col. 32:3, SFBool )”;

“a language level program code having a one-to-one correspondence with the user level command script wherein the language level program code comprises the same number of consecutive individual program lines with each of the program lines further consisting of an operation code for the mnemonical name of the specific command followed by a correspondingly ordered list of arguments for the specific command” (E.g. see FIG. 39-40 and associated text, i.e. see col. 31:64 to col. 32:3);

“a language interpreter (E.g. see FIG. 8, unit 47 and associated text, i.e. col. 17:33-42) whereby the number of consecutive individual program lines of the language level program code get parsed (E.g. see FIG. 3, parser 34C and associated text) into a corresponding set of instructions for display (E.g. see FIG. 8, unit 46-47 and associated text)”; and

“a display engine (E.g. see FIG. 8, unit 42 and associated text) whereby the set of instructions for display produced by the language interpreter (E.g. see FIG. 8, unit 47 and associated text) get rendered into the set of three-dimensional objects and the real-time interactions among them in a three dimensional space (E.g. see col. 2:42-43, three-dimensional

virtual space) for graphics presentation or storage in the computing device or the general networked computer environment (E.g. see col. 1:28-33)”.

As Per claim 2, the rejection of claim 1 is incorporated and further Ishikawa teaches:  
“wherein the set of operation codes of the language level program code is functionally partitioned into a number of sections (E.g. see FIG. 8, UNIT 42 and associated text, i.e. group “model” 420, “routing” 422, “scene graph” 424) to improve the performance of the function of parsing for the language interpreter”.

As Per claim 3, the rejection of claim 2 is incorporated and further Ishikawa teaches:  
“each of the number of sections further comprises a specific definition and a range of operation codes consecutively assigned thereof (E.g. see col. 16:50-60 and col. 20:57-63)”.

As Per claim 9, the rejection of claim 1 is incorporated and further Ishikawa teaches:  
“wherein the computing device is a game console or a desk top computer (E.g. see FIG. 7, computer 20 and associated text)”.

As Per claim 10, the rejection of claim 1 is incorporated and further Ishikawa teaches:  
“wherein the general networked computer environment includes, but not limited to, the Internet (E.g. see FIG. 2, Internet 12 and associated text)”.

As Per claim 11, the rejection of claim 10 is incorporated and further Ishikawa teaches:

“wherein the graphics computer programming language is downloadable (E.g. see FIG. 4, step 201 and associated text, i.e. see col. 9:48-55) for viewing by a client user with a web browser (E.g. see col. 1:64 to col. 2:8) includes, but not limited to, Internet Explorer or Netscape (E.g. see col. 2:1) communicator”.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa in view of Ezer et al. US Patent No. 6,275,239 (hereinafter Ezer).

As per Claim 12, is rejected under the same reason set forth in connection of the rejection of Claim 1. Ishikawa doesn't explicitly disclose real-time presentation. However, Ezer in an analogous art teaches teaches in a manner such as “real-time 3-D graphic” (E.g. see col. 3:10-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to support real-time presentation, as suggested by Ezer, to the system of Ishikawa. The modification would have been obvious because one of ordinary skill in the art would have been motivated to use a low cost application specific integrated circuit (ASIC) chip to support both real-time and 3D representation feature in digital television set-top boxes.

4. Claims 13-16 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa in view of Muller et al. US Patent No. 6,710,723 (hereinafter Muller).

As Per Claim 13, the rejection of claim 12 is incorporated and further Ishikawa doesn't explicitly disclose compressed into a final file with a variety of industry standard algorithms and coding schemes including, but not limited to, ZIP Code or Hoffman Code. However, Muller in an analogous art teaches in a manner such as "compressed into a final file with a variety of industry standard algorithms and coding schemes including, but not limited to, ZIP Code or Hoffman Code" (E.g. see col. 26:53-57, Hoffman Code). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to compress a file, as suggested by Muller, to the system of Ishikawa. The modification would have been obvious because one of ordinary skill in the art would have been motivated to shorten the time of file transferring by using the file compressing tool such as PKZIP to reduce the file size.

As Per Claim 14, the rejection of claim 12 is incorporated and further Ishikawa doesn't explicitly disclose the compressed final file is first decompressed into the corresponding language level program code. However, Muller in an analogous art teaches in a manner such as "the compressed final file is first decompressed into the corresponding language level program code" (E.g. see col. 26:53-57, decompressed). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to compress a file, as suggested by Muller, to the system of Ishikawa. The modification would have been obvious because one of ordinary skill in the art would have been motivated to reconstruct to the original form of a

compressed file by using the file decompressing tool such as PKZIP before a computer application can process the file.

As per Claims 15-16 and 22-24, the rejection of claim 12 is incorporated and is rejected under the same reason set forth in connection of the rejection of Claims 2-3 and 9-11.

5. Claims 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa in view of Folmsbee, US Patent No. 6,308,256.

As Per Claim 4, the rejection of claim 3 is incorporated and further Ishikawa doesn't explicitly disclose section zero (0) being defined as a null section, corresponding to no action. However, Muller in an analogous art teaches in a manner such as "one of the number of sections is section zero (0) being defined as a null section, corresponding to no action, having a singular numerical operation code of zero (0)." (E.g. see col. 20:12-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a section zero (0) being defined as a null section, corresponding to no action. The modification would have been obvious because one of ordinary skill in the art would have been motivated to so that the on-chip memory is partitioned so there is a section which the OS cannot access because it is only used for programs running under the key.

As per Claim 17, the rejection of claim 16 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 4.

***Allowable Subject Matter***

6. Claims 5-8 and 18-21 are objected to as being dependent upon a rejected base claims 3 and 16, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is 703-305-4866. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 703-305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

After October 25, 2004, examiner can be reached at new telephone number (571) 272-3705, and the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Kuo-Liang J. Tang*

Software Engineer Patent Examiner

*Tuan Dam*  
TUAN DAM  
SUPERVISORY PATENT EXAMINER

<b>Notice of References Cited</b>		Application/Control No.	Applicant(s)/Patent Under Reexamination CHIANG ET AL.	
		Examiner Kuo-Liang J Tang	Art Unit 2122	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,466,239	10-2002	Ishikawa, Masayuki	345/850
	B	US-6,710,723	03-2004	Muller et al.	340/970
	C	US-6,724,393	04-2004	Perry et al.	345/581
	D	US-6,470,235	10-2002	Kasuga et al.	700/246
	E	US-6,741,246	05-2004	Perry et al.	345/420
	F	US-5,870,497	02-1999	Galbi et al.	382/232
	G	US-6,308,256	10-2001	Folmsbee, Alan	712/209
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.